



Request for City Council Committee Action from the Department of Public Works

Date: June 17, 2014

To: Honorable Kevin Reich, Chair Transportation & Public Works Committee

Referral to: Honorable John Quincy, Chair Ways and Means/Budget Committee

Subject: **Project Approval and Assessment Public Hearing for Cedar Avenue Sidewalk Modification Project 9930 (CPV107); Areaway Abandonment Public Hearing**

Recommendation:

- A. Pass a Resolution ordering the City Engineer to proceed and do the work and adopt special assessments in the amount of \$148,000 for the Cedar Avenue Sidewalk Modification Project No 9930.
- B. Pass a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$148,000 for the Cedar Avenue Sidewalk Modification Project No 9930 with the bonds to be paid for from special assessments.
- C. Pass a resolution ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the Cedar Avenue Sidewalk Modification Project.

Previous Directives:

- April 11, 2014 – Adopted Budget, Layout Approval, Easements, Grant Contract Negotiation, Designation, Cost Estimate, and Set Public Hearings
- February 24, 2012 – Minneapolis City Council approved \$300,000 appropriation and revenue for the Cedar Ave Sidewalk Reconstruction.
- September 24, 2010 – Minneapolis City Council accepted & appropriated grant awards for Cedar-Riverside LRT & Franklin LRT Station Area public realm improvements; Passed Resolution increasing appropriation.
- April 16, 2010 – Minneapolis City Council authorized the submission of City grant applications for Cedar Avenue Pedestrian Improvements and Franklin Avenue LRT Station Area Pedestrian Improvements to the 2010 Hennepin County Transit-Oriented Development (TOD) Program.
- June 25, 1999 – Minneapolis City council approved allocation of \$4,000,000 from Common Project reserve to the Hiawatha LRT Corridor TOD set-aside.

Department Information:

Prepared by: Christopher M. Engelmann, P.E., Project Engineer 673-3274
Suzette Hjermstad, R.E. Investigator II, 673-2401
Don Elwood, P.E., Director of Transportation Planning and Engineering

Approved by: _____

Steven A. Kotke, P.E., Director of Public Works

Presenters in Committee: Christopher M. Engelmann, Project Engineer, Department of Public Works, Transportation Planning and Engineering

Financial Impact

- Assessment amount is reduced by \$52,000 from previous action on this matter. Total project budget is adjusted by the same amount and remains sufficient for the proposed work.
- Community Impact
- Neighborhood Notification - In coordination with CPED, one public meeting and multiple meetings with neighborhood and business groups were held to solicit input from the surrounding stakeholders.
- City Goals: A City that Works
- Comprehensive Plan: The project's design and funding is consistent with the policies of the city's comprehensive plan, *The Minneapolis Plan for Sustainable Growth*.

Supporting Information

Background

In April, 2010, the Minneapolis City Council authorized the submittal of thirteen applications to the 2010 Hennepin County Transit-Oriented Development Program solicitation. The Transit-Oriented Development (TOD) funding program supports both infrastructure projects and housing or commercial developments that reinforce the community and the transit system, exhibit a compact and efficient use of available land rather than automobile oriented sprawl, support healthy and active living, and contain a diversity and mix of uses with daily conveniences and transit at the center. Applications were submitted by the City of Minneapolis for the Cedar Avenue Pedestrian Improvements project and the Franklin Avenue LRT Station Area Pedestrian Improvements project.

In June 2010, the Hennepin County Housing and Redevelopment Authority Board approved the 2010 Hennepin County TOD grant award for the City of Minneapolis Cedar-Riverside LRT and Franklin LRT Station Area Public Realm Improvement Project in the amount of \$375,000, with the funding divided between the Cedar Riverside (\$300,000) and Franklin Avenue (\$75,000) projects. A 50% match is required by Hennepin County for infrastructure work funded by the TOD grant program. The match can be from any source. The scope of work proposed for Cedar Avenue includes replacement of sidewalks, trees, tree grates, and curb where necessary from the West Bank LRT station to approximately Interstate 94. Pedestrian lighting and structured soils (currently not in place) are also proposed. No additional enhancements to the streetscape are proposed as part of this project.

Existing materials vary in both content and condition. Most of the sidewalks in the project area were last reconstructed with non-standard materials in the early 1970s. Maintenance of these materials has been inconsistent, resulting in piecemeal replacement and an unpleasant pedestrian experience. Implementing standard materials throughout the corridor is intended to encourage better maintenance and a safer pedestrian experience for all users.

Improving the pedestrian realm is also intended to increase the desirability of redevelopment parcels held by various public agencies near the West Bank and Cedar Riverside LRT stations.

CPED staff worked closely in consultation with Public Works to implement the project. In late 2012, Minneapolis CPED and Public Works coordinated with Hennepin County staff to evaluate the appropriateness and scope of the project. From these conversations it was determined that to meet the goals for the pedestrian space of the project area, additional construction outside the original scope was required. The increase in scope was necessary because the sidewalks could not be brought up to ADA standards by only replacing the sidewalk. The scope increased from a pure sidewalk replacement to a pedestrian zone improvement project. In coordination with Hennepin County, the scope was expanded to include: a reconfiguration of the roadway from four lanes to three lanes, widening of the west pedestrian zone, adding parking on the west side of Cedar Ave, curb extensions where appropriate, pedestrian level lighting, and urban forest renewal.

Scope

The proposed project consists of sidewalk reconstruction of Cedar Ave S from approximately 3rd St S to 7th St S. This includes full removal and replacement of the west side curb, sidewalk on the east and west side of Cedar Ave, and striping of the roadway to the new configuration. Street lighting along Cedar Ave is also proposed for this project.

Schedule and Funding

The project is planned to be constructed in the 2014 construction season. The project cost estimate is \$1,695,500.

The City of Minneapolis 2014 Adopted Budget, as amended by Resolution 2014R-143 on April 11, 2014, appropriated funding for the project including:

	Appropriated	Adjustment	Revised
Hiawatha TOD	\$300,000		\$300,000
Henn Co. TOD Program Grant	\$747,500		\$747,500
Special Assessment	\$200,000	(\$52,000)	\$148,000
Advance from Fund 04100	\$500,000		\$500,000

Special Assessment Period

The initial concept for the Cedar Sidewalk project was for a sidewalk streetscape project. Funding sources were Hennepin County TOD and Special Assessments. Since the initial concept, elements were added to the scope of the project that included full removal of the majority of the sidewalk in the project area, as well as tree grates, tree infill, new curb and gutter on the west side, wider sidewalk area, and pavement restriping and sealcoating. A sidewalk replacement is typically assessed over a ten-year period because of the lifecycle of the capital investment. This project far exceeds sidewalk replacement. The capital investment is expected to last over 20 years. Therefore, staff recommends a 20-year assessment period.

Project Special Assessments

The proposed special assessments were determined by dividing the project benefit of \$148,000 among the front linear footage of properties located on the project. The assessment rate is \$62.53 per linear foot for both residential and non-residential properties.

The proposed total assessment amount for the Cedar Avenue Sidewalk Modification Project is \$148,000. Assessments of more than \$150 are to be collected in 20 annual principal installments on the real estate tax statements beginning in 2015 with interest charged at the same rate as the City pays in interest for selling assessment bonds. Assessments of \$150 or less are to be collected in their entirety on the 2015 real estate tax statements with interest charged at the same rate as the City pays in interest for selling assessment bonds.

Information has been provided in the notices as to how persons may prepay the special assessments in full without interest if they so choose.

Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street construction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. Prior to the areaway public hearing, the City Engineer will have provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment Project Map

Cc: CM Warsame, Ward 6
 Jack Qvale, Board of Estimation and Taxation
 Mike Abeln, Finance
 Craig Troutman, Finance

PROJECT MAP

This map illustrates the Cedar Avenue project area in Minneapolis. The project route is highlighted in red, running from the intersection of Cedar Avenue and Washington Avenue south to the intersection of Cedar Avenue and 27th Street. The map shows a dense network of streets, including Washington Avenue, University Avenue, and various numbered streets from 1st to 28th. Key landmarks such as the University of Minnesota, TCF Stadium, and several parks (HHH Metro-Dome, Currie Park, East Phillips Park, Stewart Park, Matthews Park, Peavey Park) are labeled. The Mississippi River is visible on the right side of the map. A legend at the bottom left indicates the project route, and a north arrow is located at the bottom right.

T&PW and W&M/Budget – Your Committees recommend passage and summary publication of the accompanying Resolutions:

1. Ordering the work to proceed and adopting the special assessments for the Cedar Avenue Sidewalk Modifications, Special Improvement of Existing Street No 9930.
2. Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the Cedar Avenue Sidewalk Modifications.

Reich

**Cedar Sidewalk Modification Project,
Special Improvement of Existing Street No 9930**

**Ordering the work to proceed and adopting the special assessments for the
Cedar Sidewalk Modification Project**

Whereas, a public hearing was held on June 17, 2014 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2014R- 146 passed April 11, 2014, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2014R- 146 passed April 11, 2014.

Be It Further Resolved that the proposed special assessments in the total amount of \$148,000 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2015 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2015 real estate tax statements.

Reich and Quincy

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$148,000 for certain purposes other than the purchase of public utilities.

Resolved by the City Council of the City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Cedar Avenue Sidewalk Modification Project, Special Improvement of Existing Street No 9930, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

T&PW – Your Committee recommends passage and summary publication of the accompanying Resolution ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the construction in the Cedar Avenue Sidewalk Modifications project area.

Reich

Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the reconstruction projects in the Cedar Sidewalk Modification project area.

Whereas, the City of Minneapolis has scheduled the sidewalk and street lighting improvements starting in 2014 in the Cedar Avenue area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said construction; and

Whereas, a public hearing was held on June 17, 2014 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now Therefore, Be It Resolved by the City Council of the City of Minneapolis;

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along both sides of Cedar Avenue from 3rd St S to 7th St S.